

MINUTES

274th Meeting Contractors' Registration and Licensing Board
October 10, 2012

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:42 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. William Nash and seconded by Mr. Paul Brunetti.

(C) The minutes of the 273rd meeting were approved on a motion by Mr. Art Salisbury and seconded by Mr. Dave Caldwell.

(D) Court Case Update: **October 2012 - Court Ordered**
Restitution/Fines:

A review of the cases was continued until next month due to the length of the Agenda.

(E) Review of Pending Issues with the Building Officials Association:

1.) The Building Officials were represented by Chuck Phelps at this meeting who expressed concerns in regard to the security measures on our web-site and time expended by Building Officials to check on contractor credentials. The Executive Director informed the Board

that this matter is still being reviewed by IT and that measures have been taken to improve access. Concerns were expressed by Board members that first time accessing the site and doing the math problem doesn't work. This concern will be brought to the attention of the computer experts.

2.) Discussed the adoption of the new code which should be ready by July 1, 2013.

3.) Board was informed that training seminars will be conducted on the new codes over the course of the next several months.

4.) N.E. Renovations, Richard Froais, Registration #25286 action taken by Executive Director and notice of hearing on suspension was discussed.

(F) Consideration of Cases on Appeal and Oral Argument:

1.) 12:40 PM, Claim #7755, Fallon vs. Pace, Respondents Registration #33913, Linda Pace, Pace Granite Kitchen and Bath, exceptions filed by the Respondent. Both parties were present and the Respondent's attorney presented exceptions in regard to the order issued by the commission. The attorney rebutted the decision of the hearing officer based on the facts provided in the proposed order. The Board questioned why the principal was not present and what the relationship was with the person who was present with the attorney. The person attending was Mr. Pace because his wife couldn't attend; however he was not involved with the company and only the attorney could represent Linda Pace in regard to this appeal. After more

questions and concerns as to the findings of facts, a motion was made by Mr. Edgar Ladouceur and seconded by Felix Carlone to remand the matter back to the hearing officer to better substantiate the findings to reflect the decision rendered in the order. The motion was called by the chair and decision was unanimous to remand matter back to hearing officer and if need be a new hearing to assure that the findings were sufficient to the issuance of the order.

2.) 1:00 PM, Claim #7716, Wilson vs. Kapuscinski, Respondents Registration #12593, Ronald Kapuscinski, Four Seasons, exceptions filed by the Respondent. Both parties were in attendance; however Mr. Kapuscinski who filed the exceptions was unable to bring an attorney as previously requested due to the fact that his former attorney was fired and his new attorney was in court on a trial so another request was made by Respondent for continuance. After much discussion and many questions by the Board members on the advice of legal counsel to assure due process, a motion was made by the chairman Felix Carlone and a second by Mr. Ladouceur to continue this matter for the last time until next month, November 14, 2012. Motion carried with two board members opposing, those being, Eric Wishart and William Nash.

3.) 1:20 PM, Review by Board of the reinstatement of Registration #13667, Joseph Faria. Mr. Faria presented his request to remain registered to the Board. Members asked many questions of Mr. Faria in regard to the jobs he performed and if any problems resulted. The

executive director stated that no new claims had been filed with the Board. After further discussion a motion was made by Felix Carlone and seconded by Dave Caldwell to extend the six month probationary period for another six months with the condition that at that time Mr. Faria provide the Board with copies of contacts and checks received during that time frame of work he performed. Motion passed unanimously.

4.) 1:30 PM, Request to review the reinstatement of Registration #24346 by the Board, Patrick Iarossi, I.C. Building Corp. LLC. Mr. Iarossi failed to attend the meeting after notice and opportunity. The Board on a motion by Edgar Ladouceur and second by Felix Carlone unanimously denied extending the conditional reinstatement due to the fact that Mr. Iarossi failed to attend.

5) 1:40 PM, Request by contractor to reinstate a REVOKED Registration #31779, J.K.V. Construction and Remodeling, Vernon Howell Sr. The Board was ready to act on matter but contractor withdrew the request in that he is no longer performing this type of work and really didn't want registration back. Board passed on the request.

6.) 1:50 PM, Request by contractor to reinstate a REVOKED Registration #20216, Todd Harris, T H Builders Inc. Arthur Salisbury had to leave early and left before this matter was heard by the Board so never had to be recused from this matter. The Board after

reviewing this matter wanted to request a change in policy that any person going before the Board for reinstatement of Registration that notice be sent to parties who had claims filed against the contractor to get additional input into the reinstatement of registration. The Board requested that this matter be rescheduled until next month and notice be sent to parties that had claims filed with this contractor for any comments they may have in regard to this action. Motion was made by Felix and seconded by Edgar Ladouceur to reschedule this matter until next month, which passed unanimously.

EXPUNGEMENTS:

1.) 2:00 PM, Request by Daniel Woodford, Two Brothers Home Services, to expunge Claim #7809 from his record. Party failed to show and a motion was made by William Nash and seconded by Felix Carlone to deny request, motion carried unanimously.

(G) Report of the Executive Director and Staff:

(1) Statistics Report: 10/10//2012

Registrations:

Number of Registered Contractors	11231		
Number of Cards Surrendered	5971	Number of Cards	

Expired/Lapsed	16835	Number of Cards Invalidated	1168
Number of Cards Suspended	503		
Number of Cards Revoked	103		

Registration Actions

09/12/2012-10/10/2012

Number of New Registered Contractors	73
Number of Renewed Contractors	11158
Number of Cards Surrendered	45
Registrations Invalidated	10
Registrations Suspended	3
Registrations Revoked	0

Claims:

Administrative Appeals	5	
Board Appeals	5	
Address Traces		83
Awaiting Further Action	31	

Court

619	
Disposed	6430
Final Orders	45
Hearings	45
Out of State Services	19
Proposed Orders	109
Under Investigation	101

Total Claims Filed with the Board	7492
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Number of New Claims Processed	30
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09/12/2012-10/10/2012

Violations:

Action Against Registration	33
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Advertising	3
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Non-Registered Subcontractors	
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21

Cancelled Insurance	1166
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Notice of Hearing	4
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Non-Registered Contractor	
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850

TOTAL RECORDS	2077
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Number of New Violations	84
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09/12/2012-10/10/2012

Lapsed Registrations/Never Re-Newed:

September	2011
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95

October 2011

69

November 2011

74

December 2011

81

January 2012

64

February 2012

62

March 2012

102

April 2012

148

May 2012

140

June 2012

142

July 2012

139

August 2012

135

September 2012

178

Month	# Tickets Issued
Fines	
January	0
\$00.00	
February	1
\$50.00	
March	2
\$200.00	
April	0
\$000.00	
May	0
\$00.00	
June	3
\$550.00	
July	1
\$250	
August	11
\$2,750.00	

Commercial Roofers:

Number of New Registered Contractors	1
Number of Renewed Roofer Contractors	137
Number of Cards Surrendered	20
Number of Expired/Lapsed	61

Registrations Invalidated	1
Registrations Suspended	0
Registrations Revoked	0

(H) Old Business:

(1.) Review of regulations, laws and standards, established by sub-committee, report of committees and progress. No meetings have been held on this matter but have made some progress. New attorney will be working with executive director to get the regulations formulated for committee review and then public hearing on matter.

(I) New Business:

(1.) Budget: awaiting RFP to purchase two new card machines

which is expected soon; this will be ready for the new CAVU software early next year.

(2.) Computer Software Program Update on Progress (DBR), CAVU; Board

has been proceeding and making progress. Projected date because of data

transfers will be later than expected in that we are phase III.

May not be

ready until early next year instead of early fall this year.

Phase I with the

Department of Business Regulation went live and now on

Phase II.

(4.) The Board was advised that the positions that have been pending

have been processed and only one remains to be filled.

Posting of that

position should take place soon.

(5.) Legislation; Home Inspector legislation may be re-submitted for next

years session.

(6.) Education: David Arneson, president of Titanium Education Solutions

may fly in from CA to discuss his program with the Board in the near

future. NASCLA is also working on education standards and would

provide the Board with a presentation regarding its ability to serve as a

clearing house for the state. This program may be in operation by the

beginning of next year.

(7.) NASCLA: Meeting of Board of Directors celebrating 50 years of

excellence in regulation will be in Bend OR September 30th to October 4th

2012, selected the Boards Executive Director to serve again in the

(8.) Request for Proposal: The Board will have to develop a new RFP to seek

testing companies to provide the RICRLB with an avenue to test Home

Inspectors, Commercial Roofers and Well Drillers.

(J) Public Comment: None

(K) Announcements: The next Board meeting is scheduled for Wednesday

November 14, 2012 at 12:30 PM Conference Room "A", 2nd

Floor, One Capitol Hill, Providence, Rhode Island.

(L) Adjournment: A motion was made by Mr. Edgar Ladouceur and seconded by Mr.

Dave Caldwell, to adjourn at 3:00 PM.

**Members Present: William Nash, David Caldwell, Martin Ezeama,
Felix Carlone,**

**William Geddes, Robert Cardoza, Ronald
Caniglia, Steven Carlino,**

**Arthur Salisbury, Eric Wishart, Tom Furey,
Paul Brunetti and**

Edgar Ladouceur.

**Members Absent: Eric Anderson, who resigned from the Board,
and J. Lawrence Brillon.**

**Others Present: George Whalen (Executive Director), Ariele Yaffee
(Attorney**

**Generals Office, legal counsel), stenographer,
staff.**

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board